

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ITT MANUFACTURING ENTERPRISES, INC., :
and ITT CORPORATION, :

Plaintiffs, :

v. :

AQUATIC INDUSTRIES, INC. :

Defendant. :

C.A. No. _____

COMPLAINT

Plaintiffs, ITT Manufacturing Enterprises (“ITT Manufacturing”) and ITT Corporation (“ITT”), by their attorneys, bring this action against Defendant, Aquatic Industries, Inc. (“Aquatic”) and allege as follows:

Nature of the Action

1. ITT Manufacturing and ITT (collectively, “Plaintiffs”) bring this civil action to obtain monetary and injunctive relief for Aquatic’s acts of trademark infringement, unfair competition and deceptive practices in violation of Lanham Act, 15 U.S.C. §§ 1501 *et seq.* and for violations of Delaware State statutory and common law. Aquatic is unlawfully using Plaintiffs’ **ENGINEERED FOR LIFE®** registered trademark in the advertising and marketing of its products, in an effort to trade on and exploit the tremendous goodwill and public recognition which Plaintiffs have developed in that mark at great expense.

The Parties

2. ITT Manufacturing is a corporation organized and existing under the laws of the State of Delaware and maintains its corporate office at 1105 North Market Street, Wilmington, DE 19801.

3. ITT is a corporation organized and existing under the laws of the State of Indiana, and having a principal place of business at 4 West Red Oak Lane, White Plains, NY 10604.

4. Prior to 2006, ITT's corporate name was ITT Industries, Inc.

5. ITT Manufacturing is the owner of the mark **ENGINEERED FOR LIFE®**, and trademark registrations of that mark in the United States and in many other countries.

6. ITT licenses the mark **ENGINEERED FOR LIFE®** from ITT Manufacturing, with all use inuring to the benefit of ITT Manufacturing.

7. ITT has three operating units: Motion and Flow Control, Fluid Technologies, and Defense Electronics and Services.

8. ITT's Fluid Technologies and Motion and Flow Control divisions manufacture and sell numerous products for use with commercial and residential water systems and water-based heating systems, including:

- HYDROAIR® aquatic products for pool, spa, and whirlpool applications,
- MARLOW® bath, pool, and spa pumps,
- GOULDS® well pumps,
- MCDONNELL & MILLER® steam and hot water boiler products,

- BELL & GOSSETT® pumps for commercial HVAC and residential hot water heating applications,
- HOFFMAN® products for steam and hot water heating systems, and
- AQUIOUS® drinking water purification equipment.

ITT manufactures and sells consumer products for marine applications within its JABSCO® and RULE® product lines.

9. On information and belief, Aquatic is a corporation organized and existing under the laws of the State of Ohio and maintains a principal place of business at 11880 Ranch Road 2443 W., Leander, Texas 78691.

10. On information and belief, Aquatic is engaged in the business of manufacturing and marketing whirlpool baths, tubs, spas and shower bases, and has advertised and marketed its products in this District and elsewhere in the United States, in association with the mark **ENGINEERED FOR LIFE®**.

11. Aquatic appropriates and incorporates Plaintiff's **ENGINEERED FOR LIFE®** mark in its entirety as part of its mark DESIGNED FOR LUXURY. ENGINEERED FOR LIFE.

Jurisdiction And Venue

12. This is an action for trademark infringement, unfair competition and deceptive practices under the Lanham Act of 1946, as amended, 15 U.S.C. § 1051, *et seq.*, and the statutory and common law of the State of Delaware.

13. The Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331, 1338 and 15 U.S.C. § 1121, in that the matter arises under the laws of the United States, including the Lanham Act.

14. The Court has jurisdiction over Plaintiffs' state law claims pursuant to 28 U.S.C. §§ 1338(b) and 1367(a).

15. Venue is proper in this District under 28 U.S.C. §§ 1391(b) and 1391(d) because the acts of Aquatic, of which complaint is herein made, have been and continue to be committed by Aquatic in interstate commerce and in this District.

Plaintiffs' ENGINEERED FOR LIFE® Trademark

16. Plaintiff ITT Manufacturing is the owner of the trademark **ENGINEERED FOR LIFE®**, as well as over 20 United States federal registrations for the mark **ENGINEERED FOR LIFE®** in various classes of goods and services, including U.S. Registration No. 2,606,789 ("the '789 registration") for "spa, pool, bath and aquatic products, namely, cycle valve assemblies comprised of valves, pressure gauges, pumps; jet and jet valve assemblies comprised of nuts, rings, handles, manifolds, jets, locks; air injectors; controls; manifolds; drain and suction assemblies comprised of covers, fittings, tees, plugs, nuts, gaskets; air controls; valve assemblies comprised of handles, covers, fittings, nuts, o'rings, washers, rotors, plugs; air blowers and air blower motors; whirlpool bath heaters; air switches; wall fitting assemblies comprised of fittings, eyeballs, nuts, gaskets, rings; blower assemblies comprised of blowers, ports; slip socket assemblies comprised of socket bodies, gaskets, lock nuts, fittings; injector jet assemblies comprised of jets, nozzles, fittings, check valves; and parts therefore, namely, nozzles, orifice reducers, skimmers, pvc couplings, elbows, tees, reducers, barbs and pump stands" in International Class 7. A copy of this registration is attached at Exhibit A.

17. Plaintiff ITT Manufacturing is also the owner of the following U.S. Registrations for **ENGINEERED FOR LIFE®**, copies of which are attached at Exhibits B-E:

- Reg. No. 2,594,048 (“the ‘048 registration”) for, *inter alia*, “water purification units” in class 11, and “marine products, namely, pumps, namely, bilge pumps, submersible pumps, sump pumps, lever pumps, portable pumps, hand pumps, live well/aerator pumps and accessories; winches and accessories, pumps hoses, adaptors and fittings” in International Class 7;
- Reg. No. 2,615,780 (“the ‘780 registration”) for, *inter alia*, “peripheral pumps, self-priming pumps, centrifugal pumps, pressure vessel with single phase pump, close coupled pumps, submersible pumps, submersible motors, surface irrigation pumps, circulating pumps, machine pumps, diaphragm surge tanks and accessories therefor, namely, drop cables, floats, ball check valves, pressure switches, flexible pipe, level indicator, air feeders, water filters, water softeners, polyphosphate proportioners” in International Class 7 and “lifting stations waste water pumps, heating installation pumps” in International Class 11;
- Reg. No. 2,481,516 (“the ‘516 registration”) for “ steam and hydronic heating systems products, namely, traps, regulators, vents, valves and strainers, pumps” in International Class 11, and “flow control system products, namely, electronic boiler controls, namely, low water cut-offs, water feeders, replacement head mechanisms, switches, blowdown valves, cartridge and

strainer valves, pressure relief valves; float and pneumatic actuated liquid level controls; water flow switches” in International Class 9; and

- Reg. No. 2,378,371 (“the ‘371 registration”) for, *inter alia*, “heating and cooling equipment and components, namely, booster pumps, circulating pumps, compression tanks, air separators, air vents, boiler check valves, relief and reducing valves, balance valves, suction diffusers, sediment removal separators, combination check valves, shut-off valves, flow control valves, close coupled valves, double suction pumps, split-case pumps, wet pit pumps, multi-stage pumps, heat exchangers, water tank heaters, pumps for heating, cooling and refrigeration; hot water and cooling systems comprising pumps, valves, sensors, controllers, flow meters, temperature detectors all sold as a unit” in International Class 11.

18. The ‘371 registration, the ‘516 registration, the ‘780 registration, and the ‘789 registration have achieved incontestable status.

19. Plaintiffs use the mark **ENGINEERED FOR LIFE®** in association with a wide variety of goods and services, including products for pool, spa, and whirlpool applications, pumps, hydronic (water- or steam-based) heating systems, and water purification equipment, including in connection with an inline heater for whirlpool tub and spa applications. A copy of the cover and relevant pages from ITT’s product catalog for spa and whirlpool parts, and photographic images of packaging for relevant goods, are attached as Exhibit F.

20. Plaintiffs’ commercial use of the **ENGINEERED FOR LIFE®** mark commenced at least as early as September 1998.

21. Plaintiffs have used the mark continuously in advertising and marketing their goods and services.

22. Through years of continuous use on a wide variety of goods and services throughout the United States and the world, and at great expense to ITT, the inherent distinctiveness of the mark **ENGINEERED FOR LIFE®**, and the degree of recognition of the mark in the channels of trade used by Plaintiffs, Plaintiffs' **ENGINEERED FOR LIFE®** mark has become a distinctive and famous mark in the United States, identifying Plaintiffs' goods and services to customers and potential customers.

23. Purchasers of certain of Plaintiffs' products, such as its well pumps and heating systems and components thereof for residential and commercial use, include residential and commercial construction contractors and plumbers.

Aquatic's Activities

24. Aquatic uses Plaintiffs' mark **ENGINEERED FOR LIFE®** in conjunction with the terms, **DESIGNED FOR LUXURY**. in advertising, promotional materials, user's manuals, and online catalogs and catalogs used as displays for the goods, in connection with whirlpool and spa products, including whirlpool tubs and inline heaters for whirlpool tubs. Examples of Defendant's product literature are attached as Exhibit G, including relevant pages from Defendant's product catalog and copies of the covers of the Owner's Manual & Installation Guide for several relevant products.

25. On information and belief, purchasers of Defendant's products include homeowners, residential and commercial construction contractors, and plumbers.

26. The use of Plaintiffs' **ENGINEERED FOR LIFE®** mark by Aquatic is likely to cause confusion, mistake or deception as to the origin of Aquatic's products or sponsorship or approval of Aquatic's products by Plaintiffs.

27. Plaintiffs first became aware of Aquatic's use of the **ENGINEERED FOR LIFE®** mark in late December 2006 in connection with internet advertising for Aquatic's products.

28. On January 8, 2007, Plaintiffs sent a cease and desist letter to Aquatic putting Aquatic on notice that it was infringing Plaintiffs' mark and demanding that it cease use of the **ENGINEERED FOR LIFE®** mark. Tracking receipts show acceptance of this letter by Aquatic on January 19, 2007. A copy of the letter and tracking information is provided as Exhibit H.

29. Aquatic acknowledged and responded to Plaintiffs' letter on February 20, 2007.

30. At least since January 19, 2007, Defendant has been aware of Plaintiffs' prior use of and rights in their **ENGINEERED FOR LIFE®** mark, yet continues to use that mark with full knowledge of those rights and the resulting likelihood of confusion.

31. Unless enjoined from selling, marketing and advertising its products under Plaintiffs' **ENGINEERED FOR LIFE®** mark, or marks incorporating **ENGINEERED FOR LIFE®** in its entirety, Aquatic's continued use of Plaintiffs' **ENGINEERED FOR LIFE®** mark will cause irreparable harm to Plaintiffs by creating confusion among the consuming public, diminishing the distinctiveness of Plaintiffs' registered mark and misappropriating the associated goodwill.

COUNT I

Trademark Infringement under 15 U.S.C. §1114

32. All of the allegations of paragraphs 1-31 are incorporated herein by reference.

33. Aquatic's acts alleged herein are without the permission or authority of Plaintiffs and are likely to cause confusion, mistake and deception, thereby constituting infringement of Plaintiffs' federally registered **ENGINEERED FOR LIFE®** mark in violation of Section 32 of the Lanham Act, 15 U.S.C. § 1114.

34. Upon information and belief, Aquatic's infringement has been willful and deliberate, constituting an exceptional case pursuant to Section 35(a)(3) of the Lanham Act, 15 U.S.C. §1117.

35. By reason of the foregoing acts of Aquatic, Plaintiffs have sustained -- and unless Aquatic is enjoined will continue to sustain -- irreparable injury and other damage to the rights of Plaintiffs in their **ENGINEERED FOR LIFE®** mark and to their business, reputation and goodwill. Aquatic has unlawfully and wrongfully derived, and will derive, income and profits, and has been and will be unjustly enriched as a result of the foregoing acts. Plaintiffs have no adequate remedy at law.

COUNT II

False Designation of Origin and Unfair Competition Under 15 U.S.C. § 1125(a)

36. All of the allegations of paragraphs 1-35 are incorporated herein by reference.

37. Aquatic's use of Plaintiffs' **ENGINEERED FOR LIFE®** mark in interstate commerce in connection with the advertising, marketing and sale of its products

is a false designation of origin which is likely to cause confusion, mistake and deception as to (1) the affiliation, connection or association of Aquatic with Plaintiffs and (2) the origin, sponsorship, or approval of Aquatic's products by Plaintiffs. Aquatic's aforesaid acts are in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

38. Upon information and belief, Aquatic's infringement has been willful and deliberate, constituting an exceptional case pursuant to Section 35(a)(3) of the Lanham Act, 15 U.S.C. § 1117.

39. By reason of the foregoing acts of Aquatic, Plaintiffs have sustained -- and unless Aquatic is enjoined will continue to sustain -- irreparable injury and other damage to the rights of Plaintiffs in their **ENGINEERED FOR LIFE®** mark and to their business, reputation and goodwill. Aquatic has unlawfully and wrongfully derived, and will derive, income and profits, and has been and will be unjustly enriched as a result of the foregoing acts. Plaintiffs have no adequate remedy at law.

COUNT III

Deceptive Trade Practices Under 6 Del. C. § 2532

40. All of the allegations of paragraphs 1-39 are incorporated herein by reference.

41. The foregoing acts of Aquatic constitute deceptive acts and practices in violation Delaware's Deceptive Trade Practices statute, 6 Del. C. § 2531 et seq.

42. The foregoing acts, *inter alia*, constitute a passing off of Defendant's goods as those of Plaintiffs, create a likelihood of confusion or misunderstanding as to the source, sponsorship, approval, or certification of Defendant's goods, and create a

likelihood of confusion or misunderstanding as to Defendant's affiliation, connection, or association with, or certification by Plaintiffs, in violation of 6 Del. C. § 2532.

43. Plaintiffs have been damaged by and Aquatic has profited from its wrongful conduct in an amount to be proven at trial.

44. By reason of the foregoing acts of Aquatic, Plaintiffs have sustained -- and unless Aquatic is enjoined will continue to sustain -- irreparable injury and other damage to the rights of Plaintiffs in their **ENGINEERED FOR LIFE®** mark and to their business, reputation and goodwill. Aquatic has unlawfully and wrongfully derived, and will derive, income and profits, and has been and will be unjustly enriched as a result of the foregoing acts. Plaintiffs have no adequate remedy at law.

45. Defendant's willful and deceptive trade practices entitle Plaintiffs to recover treble the amount of any actual damages awarded for the same conduct under Delaware common law, as well as reasonable attorneys fees.

46. Plaintiffs are entitled to preliminary and permanent injunctive relief under 6 Del. C. § 2533 to prevent Defendant's continuing deceptive trade practices.

COUNT IV

Trademark Infringement And Unfair Competition Under Delaware Common Law

47. All of the allegations of paragraphs 1-46 are incorporated herein by reference.

48. This claim arises under the common law of Delaware relating to trademark infringement, unfair competition, and passing off.

49. Upon information and belief, Aquatic has intentionally (i) appropriated Plaintiffs' **ENGINEERED FOR LIFE®** mark with the intent of causing confusion,

mistake, and deception as to the source of its products, (ii) injured Plaintiffs by taking their business and/or impairing their goodwill, and (iii) unfairly profited using Plaintiffs' **ENGINEERED FOR LIFE®** mark, and as such Aquatic has committed trademark infringement, unfair competition and passing off under Delaware common law.

50. By reason of the foregoing acts of Aquatic, Plaintiffs have sustained -- and unless Aquatic is enjoined will continue to sustain -- irreparable injury and other damage to the rights of Plaintiffs in their **ENGINEERED FOR LIFE®** mark and to their business, reputation and goodwill. Aquatic has unlawfully and wrongfully derived, and will derive, income and profits, and has been and will be unjustly enriched as a result of the foregoing acts. Plaintiffs have no adequate remedy at law.

COUNT V

Dilution Under Delaware Trademark Act 6 Del. C. § 3313

51. All the allegations of paragraphs 1-50 are incorporated herein by reference.

52. Plaintiffs' **ENGINEERED FOR LIFE®** mark is inherently distinctive and valid, as established by its federal registration on the Principal Register in connection with a wide variety of goods and services, including products for pool, spa, and whirlpool applications, many of such registrations having become incontestable, and Plaintiffs' mark has acquired further distinctiveness through continuous use in connection with such goods and services for more than five years.

53. The unauthorized use by Aquatic of Plaintiffs' **ENGINEERED FOR LIFE®** mark in connection with baths, tubs, spas and shower bases, is likely to create a mental association in the minds of consumers with Plaintiffs' **ENGINEERED FOR**

LIFE® mark, which is known by customers and potential customers to be used in connection with a wide variety of products, including components for pool, spa, and whirlpool applications, water pumps, and other products associated with commercial or residential water systems.

54. The foregoing acts of Aquatic are likely to cause dilution of the distinctive quality of Plaintiffs' distinctive and valid **ENGINEERED FOR LIFE**® mark in violation of the Delaware Trademark Act, 6 Del. C. § 3313.

PRAYER FOR RELIEF

In view of the foregoing, Plaintiffs ask that this Court grant relief as follows:

A. That Aquatic, its agents, servants, employees, successors and assigns, and all others in concert or privity with them, be preliminarily and permanently enjoined from infringing Plaintiffs' **ENGINEERED FOR LIFE**® mark.

B. That Aquatic, its agents, servants, employees, successors and assigns, and all others in concert or privity with them, be preliminarily and permanently enjoined from using Plaintiffs' **ENGINEERED FOR LIFE**® mark or any confusingly similar designation, alone or in combination with other words, as a trademark, service mark, trade name component, an Internet domain name, or otherwise to market, advertise, or identify Aquatic or its goods and services;

C. That Aquatic, its agents, servants, employees, successors and assigns, and all others in concert or privity with them, be preliminarily and permanently enjoined from unfairly competing with Plaintiffs or engaging in any activity which has a tendency to dilute, tarnish, or otherwise will irreparably harm and damage Plaintiffs' **ENGINEERED FOR LIFE**® mark and the goodwill associated with that mark;

D. That Aquatic be required to account to Plaintiffs or to pay over to Plaintiffs an amount equal to all gains, profits, and advantages derived by Aquatic by reason of its acts of infringement, false designation of origin, and unfair competition;

E. That, should the Court find the accounting of gains, profits, and advantages stated in Paragraph D inadequate compensation for the Plaintiffs, Aquatic be required to pay Plaintiffs such sum as the Court shall find just according to the willful nature of Aquatic's unlawful acts;

F. That the amounts awarded be trebled pursuant to 15 U.S.C. § 1117 and 6 Del. Code § 2533(c), or increased as the Court shall find to be just, according to the circumstances of the case;

G. That Aquatic be required to pay over to Plaintiffs a sum equal to the damages for the injury to the goodwill associated with Plaintiffs' **ENGINEERED FOR LIFE®** mark;

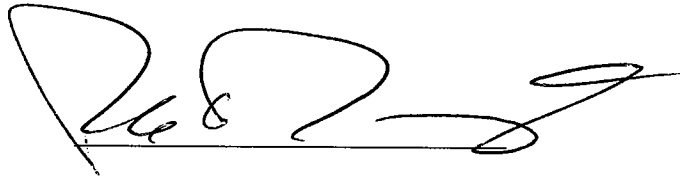
H. That Plaintiffs be awarded the costs of this action and attorneys fees and costs incurred in this action, as well as prejudgment interest;

I. Requiring Aquatic to surrender for destruction all packaging, labels, advertisements and other materials constituting infringement of Plaintiffs' **ENGINEERED FOR LIFE®** mark; and

J. That the Court order such other and further relief as may be appropriate.

Respectfully submitted,

Dated: November 20, 2007

A handwritten signature in black ink, appearing to read 'Rex A. Donnelly', written over a horizontal line.

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Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34 and 35

Reg. No. 2,606,789

United States Patent and Trademark Office

Registered Aug. 13, 2002

**TRADEMARK
PRINCIPAL REGISTER**

ENGINEERED FOR LIFE

ITT MANUFACTURING ENTERPRISES, INC.
(DELAWARE CORPORATION)
1105 NORTH MARKET STREET
WILMINGTON, DE 19801

FOR: SPA, POOL, BATH AND AQUATIC PRODUCTS, NAMELY, CYCLE VALVE ASSEMBLIES COMPRISED OF VALVES, PRESSURE GAUGES, PUMPS; JET AND JET VALVE ASSEMBLIES COMPRISED OF NUTS, RINGS, HANDLES, MANIFOLDS, JETS, LOCKS; AIR INJECTORS; CONTROLS; MANIFOLDS; DRAIN AND SUCTION ASSEMBLIES COMPRISED OF COVERS, FITTINGS, TEES, PLUGS, NUTS, GASKETS; AIR CONTROLS; VALVE ASSEMBLIES COMPRISED OF HANDLES, COVERS, FITTINGS, NUTS, O'RINGS, WASHERS, ROTORS, PLUGS; AIR BLOWERS AND AIR BLOWER MOTORS; WHIRLPOOL BATH HEATERS; AIR SWITCHES; WALL FITTING ASSEMBLIES COM-

PRISED OF FITTINGS, EYEBALLS, NUTS, GASKETS, RINGS; BLOWER ASSEMBLIES COMPRISED OF BLOWERS, PORTS; SLIP SOCKET ASSEMBLIES COMPRISED OF SOCKET BODIES, GASKETS, LOCK NUTS, FITTINGS; INJECTOR JET ASSEMBLIES COMPRISED OF JETS, NOZZLES, FITTINGS, CHECK VALVES; AND PARTS THEREFOR, NAMELY, NOZZLES, ORIFICE REDUCERS, SKIMMERS, PVC COUPLINGS, ELBOWS, TEES, REDUCERS, BARBS AND PUMP STANDS, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 0-0-1998; IN COMMERCE 0-0-1998.

SER. NO. 76-140,402, FILED 10-5-2000.

MATTHEW KLINE, EXAMINING ATTORNEY

Int. Cls.: 1, 3, 6, 7, 9, 11 and 12

Prior U.S. Cls.: 1, 2, 4, 5, 6, 10, 12, 13, 14, 19, 21, 23, 25, 26, 31, 34, 35, 36, 38, 44, 46, 50, 51 and 52

United States Patent and Trademark Office

Reg. No. 2,594,048

Registered July 16, 2002

**TRADEMARK
PRINCIPAL REGISTER**

ENGINEERED FOR LIFE

ITT MANUFACTURING ENTERPRISES, INC.
(DELAWARE CORPORATION)
1105 NORTH MARKET STREET
WILMINGTON, DE 19801

FOR: EPOXY GLUE FOR GENERAL BONDING
AND REPAIR PURPOSES, IN CLASS 1 (U.S. CLS. 1, 5,
6, 10, 26 AND 46).

FIRST USE 9-0-1999; IN COMMERCE 9-0-1999.

FOR: SEALANTS FOR CLEANING AND BUFF-
ING WATER VEHICLES; BOAT CARE PRODUCTS,
NAMESLY, BILGE CLEANER, BOAT SOAP, SPRAY
CLEANER, MILDEW CLEANER AND STAIN RE-
MOVER; FIBERGLASS CLEANER; STAIN LIFTER,
HULL CLEANER AND STAIN REMOVER, AND TO
WET CONDITIONERS, IN CLASS 3 (U.S. CLS. 1, 4, 6,
50, 51 AND 52).

FIRST USE 9-0-1999; IN COMMERCE 9-0-1999.

FOR: MARINE ANCHORS, IN CLASS 6 (U.S. CLS.
2, 12, 13, 14, 23, 25 AND 50).

FIRST USE 9-0-1999; IN COMMERCE 9-0-1999.

FOR: MARINE PRODUCTS, NAMESLY, PUMPS,
NAMESLY, BILGE PUMPS, SUBMERSIBLE PUMPS,

SUMP PUMPS, LEVER PUMPS, PORTABLE PUMPS,
HAND PUMPS, LIVE WELL/AERATOR PUMPS
AND ACCESSORIES; WINCHES AND ACCESSOR-
IES, PUMPS HOSES, ADAPTORS AND FITTINGS, IN
CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 9-0-1999; IN COMMERCE 9-0-1999.

FOR: ELECTRIC FLOAT AND PANEL
SWITCHES, DIRECTIONAL COMPASSES, IN CLASS
9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 9-0-1999; IN COMMERCE 9-0-1999.

FOR: WATER PURIFICATION UNITS, IN CLASS
11 (U.S. CLS. 13, 21, 23, 31 AND 34).

FIRST USE 9-0-1999; IN COMMERCE 9-0-1999.

FOR: ANTI-THEFT MARINE VEHICLE ALARMS,
IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FIRST USE 9-0-1999; IN COMMERCE 9-0-1999.

SER. NO. 76-190,893, FILED 1-8-2001.

MATTHEW KLINE, EXAMINING ATTORNEY

Int. Cls.: 7, 9, and 11

Prior U.S. Cls.: 13, 19, 21, 23, 26, 31, 34, 35, 36, and 38

United States Patent and Trademark Office

Reg. No. 2,615,780

Registered Sep. 3, 2002

**TRADEMARK
PRINCIPAL REGISTER**

ENGINEERED FOR LIFE

ITT MANUFACTURING ENTERPRISES, INC.
(DELAWARE CORPORATION)
1105 NORTH MARKET STREET
WILMINGTON, DE 19801

FOR: PERIPHERAL PUMPS, SELF-PRIMING PUMPS, CENTRIFUGAL PUMPS, PRESSURE VESSEL WITH SINGLE PHASE PUMP, CLOSE COUPLED PUMPS, SUBMERSIBLE PUMPS, SUBMERSIBLE MOTORS, SURFACE IRRIGATION PUMPS, CIRCULATING PUMPS, MACHINE PUMPS, DIAPHRAGM SURGE TANKS AND ACCESSORIES THEREFOR, NAMELY, DROP CABLES, FLOATS, BALL CHECK VALVES, PRESSURE SWITCHES, FLEXIBLE PIPE, LEVEL INDICATOR, AIR FEEDERS, WATER FILTERS, WATER SOFTENERS, POLYPHOSPHATE PROPORTIONERS, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 9-0-1998; IN COMMERCE 9-0-1998.

FOR: AUTOMATIC CONTROL DEVICE FOR SINGLE PHASE PUMPS, CONTROL BOXES, FREQUENCY CONVERTERS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 9-0-1998; IN COMMERCE 9-0-1998.

FOR: LIFTING STATIONS WASTE WATER PUMPS, HEATING INSTALLATION PUMPS, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

FIRST USE 9-0-1998; IN COMMERCE 9-0-1998.

SN 75-942,079, FILED 3-11-2000.

MATTHEW KLINE, EXAMINING ATTORNEY

Int. Cls.: 9 and 11

Prior U.S. Cls.: 13, 21, 23, 26, 31, 34, 36 and 38

Reg. No. 2,481,516

United States Patent and Trademark Office

Registered Aug. 28, 2001

**TRADEMARK
PRINCIPAL REGISTER**

ENGINEERED FOR LIFE

ITT MANUFACTURING ENTERPRISES, INC.
(DELAWARE CORPORATION)
1105 NORTH MARKET STREET
WILMINGTON, DE 19801

FOR: FLOW CONTROL SYSTEM PRODUCTS,
NAMELY, ELECTRONIC BOILER CONTROLS,
NAMELY, LOW WATER CUT-OFFS, WATER FEEDERS,
REPLACEMENT HEAD MECHANISMS, SWITCHES,
BLOWDOWN VALVES, CARTRIDGE AND STRAINER VALVES,
PRESSURE RELIEF VALVES; FLOAT AND PNEUMATIC ACTUATED
LIQUID LEVEL CONTROLS; WATER FLOW SWITCHES,
IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 9-0-1998; IN COMMERCE 9-0-1998.

FOR: STEAM AND HYDRONIC HEATING SYSTEMS
PRODUCTS, NAMELY, TRAPS, REGULATORS,
VENTS, VALVES AND STRAINERS, PUMPS,
IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

FIRST USE 9-0-1998; IN COMMERCE 9-0-1998.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "ENGINEERED", APART FROM
THE MARK AS SHOWN.

SER. NO. 75-816,776, FILED 10-7-1999.

JENNIFER MARTIN, EXAMINING ATTORNEY

Int. Cls.: 6, 7, 8, 9, 11 and 17

**Prior U.S. Cls.: 1, 2, 5, 12, 13, 14, 19, 21, 23,
25, 26, 28, 31, 34, 35, 36, 38, 44 and 50**

Reg. No. 2,378,371

United States Patent and Trademark Office

Registered Aug. 22, 2000

**TRADEMARK
PRINCIPAL REGISTER**

ENGINEERED FOR LIFE

ITT MANUFACTURING ENTERPRISES, INC. (DELAWARE CORPORATION)
1105 N. MARKET STREET
WILMINGTON, DE 19801, BY ASSIGNMENT ITT INDUSTRIES, INC. (INDIANA CORPORATION)
WHITE PLAINS, NY 10604

FOR: METAL BOILER FITTINGS AND METAL TANK FITTINGS, NAMELY, PIPES, BALANCERS AND VALVES, IN CLASS 6 (U.S. CLS. 2, 12, 13, 14, 23, 25 AND 50).

FIRST USE 9-14-1998; IN COMMERCE 9-14-1998.

FOR: POWER OPERATED PUMPS, NAMELY, FLEXIBLE IMPELLER PUMPS, CENTRIFUGAL PUMPS, VANE PUMPS, MACERATOR PUMPS, BILGE PUMPS, SUBMERSIBLE PUMPS, ENGINE COOLING PUMPS, OIL DRAIN PUMPS, DIAPHRAGM PUMPS, SOLIDS HANDLING PUMPS, ENGINE COOLING PUMPS, VACUUM PUMPS, SPLIT CASE PUMPS, SELF-PRIMING PUMPS, SLUDGE PUMPS, PROCESS PUMPS, STOCK PUMPS, MAGNETIC DRIVE PUMPS, CHEMICAL SERVICE PUMPS, SLURRY PUMPS, CORROSIVE SERVICE PUMPS, FIRE PUMPS, BOILER FEED PUMPS AND DRUM PUMPS AND REPLACEMENT PARTS AND ACCESSORIES THEREFOR, NAMELY, GAUGES, COUPLERS, SHAFTS, MOTORS, BEARINGS, SEALS, GASKETS, RINGS, SPRINGS, IMPELLERS, FLANGES, WASHERS, NUTS, PLATES, SCREWS ALL SOLD AS A UNIT FOR USE IN GENERAL INDUSTRY, CONSTRUCTION, AGRICULTURE, LABORATORY, CHEMICAL, SANITARY, PLANT MAINTENANCE AND MARINE INDUSTRIES; VALVES BEING PARTS OF MACHINES, NAMELY, KNIFE GATE VALVES, SLIDE GATE VALVES, DIA-

PHRAGM VALVES AND BALL VALVES, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 9-14-1998; IN COMMERCE 9-14-1998.

FOR: MANUALLY OPERATED PUMPS FOR USE IN THE RECREATIONAL MARINE INDUSTRY, IN CLASS 8 (U.S. CLS. 23, 28 AND 44).

FIRST USE 9-14-1998; IN COMMERCE 9-14-1998.

FOR: AUTOMATIC CONTROL VALVES FOR USE WITH HEATING AND COOLING EQUIPMENT, PUMP CONTROLLERS, PUMP INDICATORS IN THE NATURE OF MEASURING GAUGES, PUMP VOLUME FLOW METERS, BOILER CONTROLS, NAMELY, PUMP CONTROLS, HIGH PRESSURE LOW WATER CUT-OFF SWITCHES, BOILER WATER FEEDER SWITCHES, FEEDER CUT-OFF COMBINATION SWITCHES, MAKE-UP WATER FEEDER SWITCHES, AUTOMATIC PRESSURE RELIEF VALVES, LOW WATER CUT-OFF SWITCHES, ELECTRIC WATER FEEDER SWITCHES, AUTOMATIC TEST VALVES, FLOAT OPERATED SWITCHES, PROBE CONTROLS, LOW WATER CUT-OFF SWITCHES FOR HOT WATER BOILERS, REPLACEMENT HEAD MECHANISMS FOR FEEDER SWITCHES, CUT-OFF SWITCHES, PUMP CONTROLLERS, AUTOMATIC SEQUENCING BLOWDOWN VALVES, LIQUID LEVEL CONTROL SWITCHES, FLOW SWITCHES, MICROPROCESSORS, COMPUTER SOFTWARE FOR THE SELECTION AND DESIGN OF FLUID HANDLING CONTROLS, INSTRUMENTS AND TRANSFER PRODUCTS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 9-14-1998; IN COMMERCE 9-14-1998.

FOR: VALVES FOR BOILER BURNERS AND BOILER IGNITERS, CUSTOM FABRICATED VALVES FOR HANDLING OF PROCESS FLUIDS

2,378,371

FOR THE WASTE WATER INDUSTRY, HEATING AND COOLING EQUIPMENT AND COMPONENTS, NAMELY, BOOSTER PUMPS, CIRCULATING PUMPS, COMPRESSION TANKS, AIR SEPARATORS, AIR VENTS, BOILER CHECK VALVES, RELIEF AND REDUCING VALVES, BALANCE VALVES, SUCTION DIFFUSERS, SEDIMENT REMOVAL SEPARATORS, COMBINATION CHECK VALVES, SHUT-OFF VALVES, FLOW CONTROL VALVES, CLOSE COUPLED VALVES, DOUBLE SUCTION PUMPS, SPLIT-CASE PUMPS, WET PIT PUMPS, MULTI-STAGE PUMPS, HEAT EXCHANGERS, WATER TANK HEATERS, PUMPS FOR HEATING, COOLING AND REFRIGERATION; HOT WATER AND COOLING SYSTEMS COMPRISING PUMPS, VALVES, SENSORS, CONTROLLERS, FLOW METERS, TEMPERATURE DETECTORS ALL SOLD AS A UNIT COM-

MERCIAL AND DOMESTIC AIR FILTERS, HEATING AND COOLING REGULATORS, NAMELY, TRAPS AND STRAINERS FOR WATER CONDENSATION FROM AIR COOLING UNITS, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

FIRST USE 9-14-1998; IN COMMERCE 9-14-1998.

FOR: RUBBER SEALS FOR USE IN HEATING AND COOLING EQUIPMENT, IN CLASS 17 (U.S. CLS. 1, 5, 12, 13, 35 AND 50).

FIRST USE 9-14-1998; IN COMMERCE 9-14-1998.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ENGINEERED", APART FROM THE MARK AS SHOWN.

SER. NO. 75-328,068, FILED 7-21-1997.

CHERYL S. GOODMAN, EXAMINING ATTORNEY

ITT HydroAir is proud to introduce our 2006 worldwide catalogue.

The catalogue presents our extensive worldwide offering and ensures that our customers can benefit from products developed at both ITT HydroAir locations in USA and Denmark.

ITT HydroAir supplies professional manufacturers (OEMs) of whirlpools, spas, swimming pools and aquaculture system solutions. We offer system solutions, knowledge, and an extensive product range which include pumps, blowers, hydrotherapy jets, electronic- and pneumatic systems, underwater lights and other related articles. We also work in close co-operation with our distribution partners around the world.

ITT HydroAir is among the pioneers supplying products to the spa and whirlpool industry. Our extensive market and product knowledge has moved ITT HydroAir into a leading position on the worldwide spa and whirlpool market today.

The ITT HydroAir companies are part of the multinational corporation ITT Industries.

Practical information

Article Numbers

The two sites currently operate with different article numbers for the same articles. To avoid confusion all articles stocked in Varde, Denmark are marked **yellow**, except for the chapters that consist only of products stocked in Varde, Denmark. These chapters will be clearly marked with *"Products shown on this page are approved in accordance with European norms and are shipped from Denmark"* at the top of each page.

IMP included in an article number indicates Imperial measurement.

The Table of Contents (index) will indicate if the goods are stocked in Denmark or in the US.

Shipment

ITT HydroAir, USA ship out of our warehouse in Foothill Ranch, California USA.

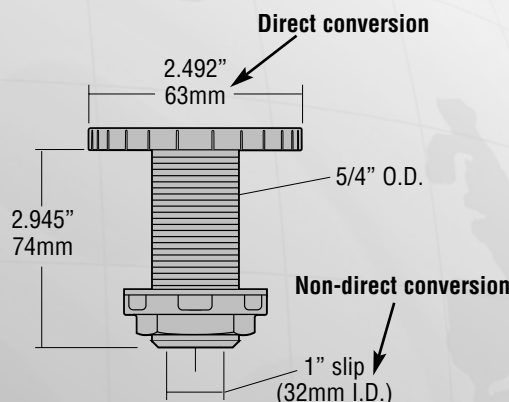
ITT HydroAir, Denmark ship out of our warehouse in Varde, Denmark.

Technical Details

The catalogue will show technical details in accordance with both American and European standards. Important measurements are mentioned in both inches and millimetres, gallons are translated into litres, PSI is translated into m/head etc.

Please note: We have an extensive offering in both metric and imperial sized jets and fittings to match both American and European standards.

E.g. we offer many of our air controls in both 1" and 32 mm. In a direct conversion 1" is converted to 25.4 mm. We have chosen to mark non-direct conversions with brackets.



Colour coding of products stocked in Denmark:

Danish products are coded in the following way:

xx-xxxx	White ABS / white plated brass
xx-xxxx-1	Chrome plated brass
xx-xxxx-5	Stainless steel
xx-xxxx-11	Chrome plated ABS
xx-xxxx-36	Grey ABS / grey plated ABS
xx-xxxxFP-36	Grey ABS, Five Point Scallop design

Approvals

For full details of our approvals please see web site www.itthydroair.com

Sales Terms & Conditions

For full details of our sales terms & conditions please see web site www.itthydroair.com

HydroAir



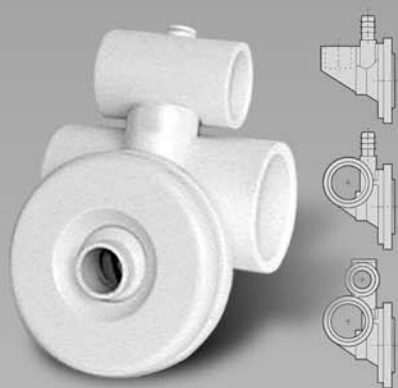
ITT Industries
Engineered for life

ITT HydroAir part of Jabsco

USA • 450 Delta Avenue Brea, CA 92821 • 800-230-9560 / 714-257-9485 • Fax 714-257-9486 E-mail michael.kort@itt.com

Denmark • Roustvej 50, 6800 Varde, Denmark • Tel (+45) 75 22 46 88 • E-mail hydroair.dk@fluids.ittind.se

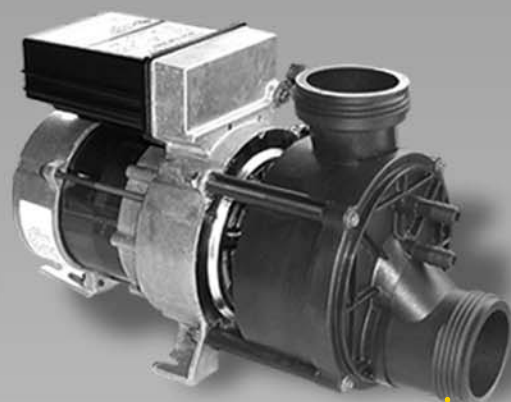
NEW "DRY SYSTEM" FOR 2006



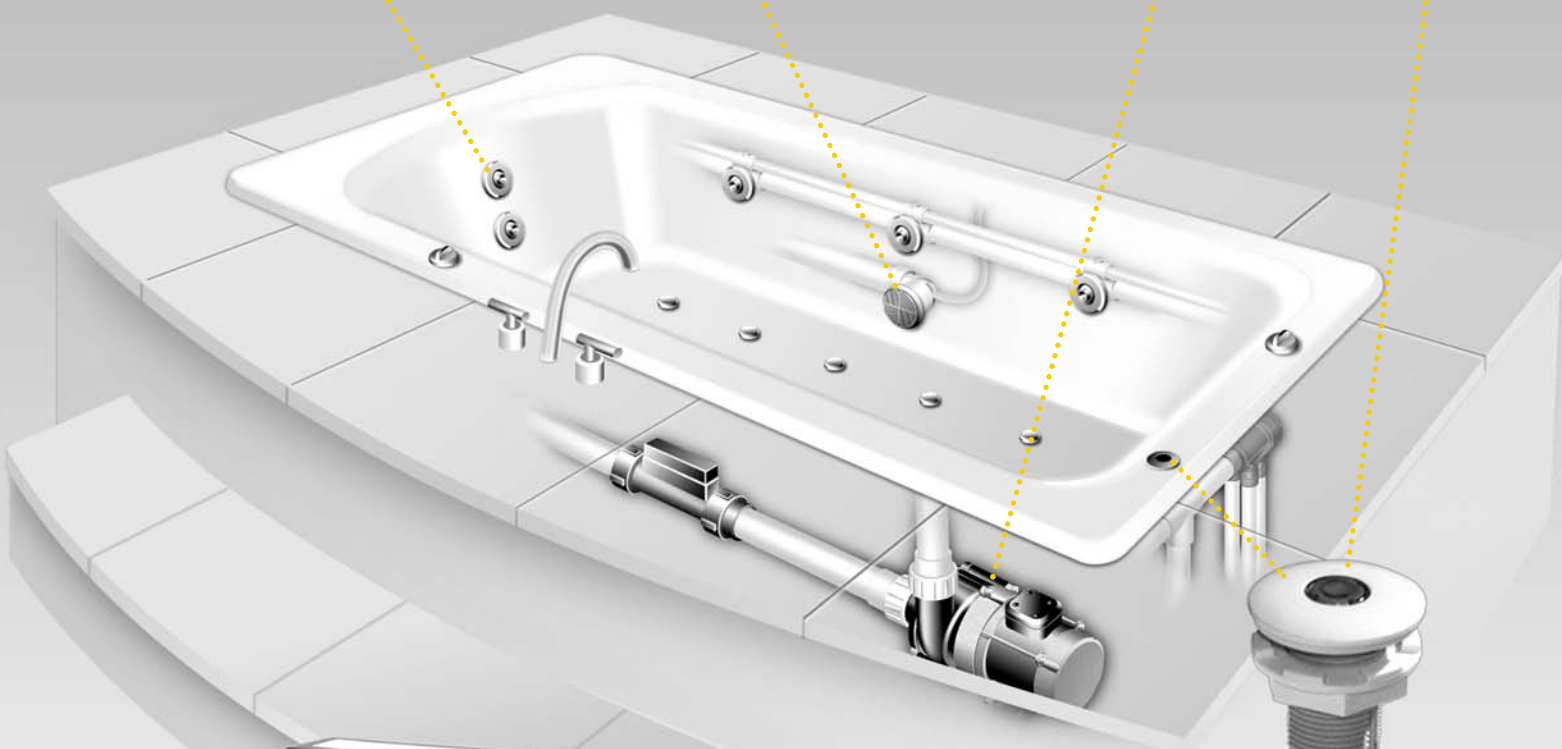
DryJet™ effectively reduces system water retention. See them on page 22
Available in Metric.



DrySuction™ with safety features and a 117GPM (27m³/h) flow rating. See it on page 40
Available in Metric.



Magna™ pump series
120V, 60 Hz.
See them on page 55



HA 350 pump series
230V, 50Hz. See them on page 88



Electronic On/Off
The air button alternative.
Use with Magna series pumps (only)
See it on page 61

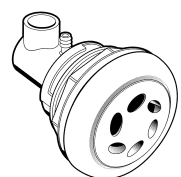
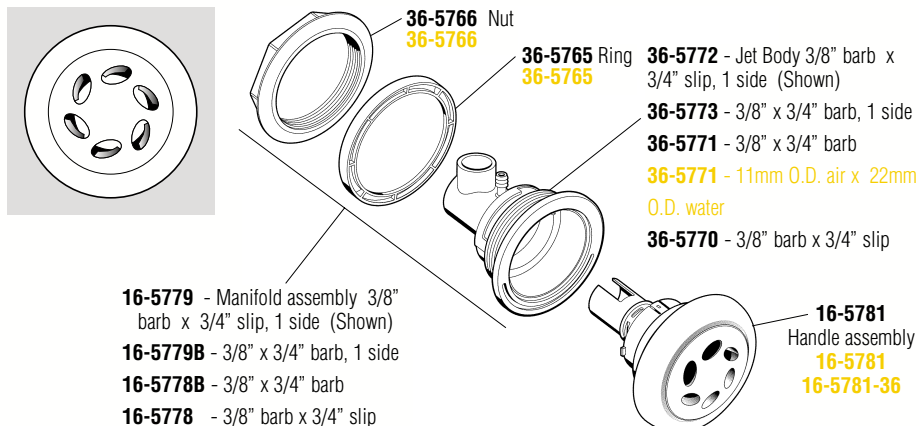
HydroAir



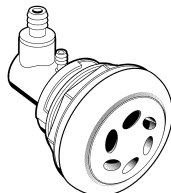
ITT Industries
Engineered for life

Multiport VSR™ Series Jets

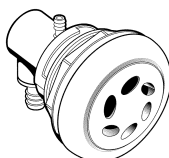
VSR™ Multiport / Rotating Jet Assemblies



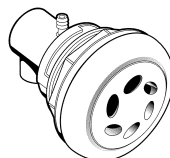
16-5782 Includes:
16-5779 Jet manifold
assy. & 16-5781
Handle assy



16-5783 Includes:
16-5779B Jet manifold
assy. & 16-5781
Handle assy

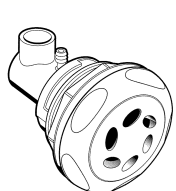
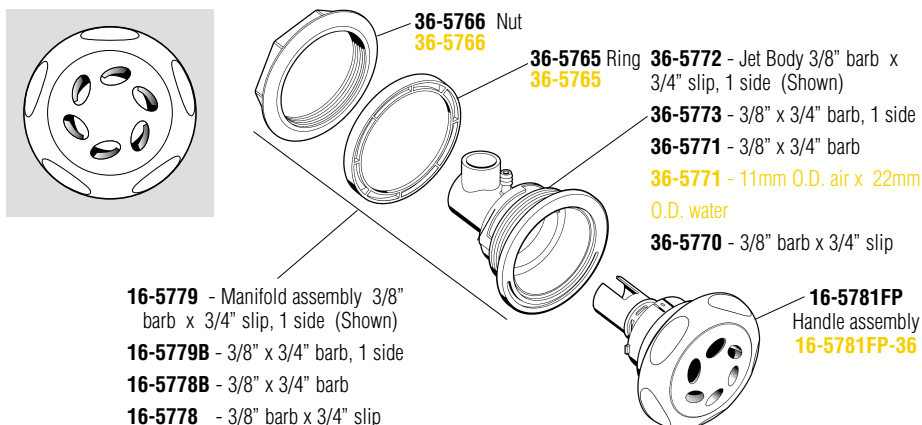


16-5784 Includes:
16-5778B Jet manifold
assy. & 16-5781
Handle assy

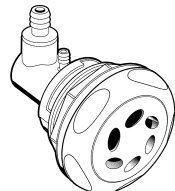


16-5785 Includes:
16-5778 Jet manifold
assy. & 16-5781
Handle assy

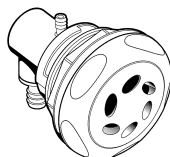
FP VSR™ Multiport / Rotating Jet Assemblies



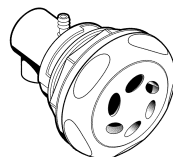
16-5782FP Includes:
16-5779 Jet manifold
assy. & 16-5781FP
Handle assy



16-5783FP Includes:
16-5779B Jet manifold
assy. & 16-5781FP
Handle assy



16-5784FP Includes:
16-5778B Jet manifold
assy. & 16-5781FP
Handle assy



16-5785FP Includes:
16-5778 Jet manifold
assy. & 16-5781FP
Handle assy

SPECIFICATIONS:

Output: 13 GPM at 12 psi, 2 m³/h @ 7m H₂O
Hole Size: 3 1/2"

Clearance: 4.5" Behind tub wall

Installation: Requires 4 1/2" flat area

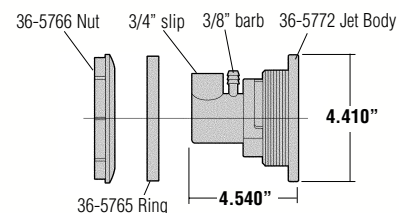
Options: "L" Gasket 36-5710

Flexible tubes/clamps see page 108

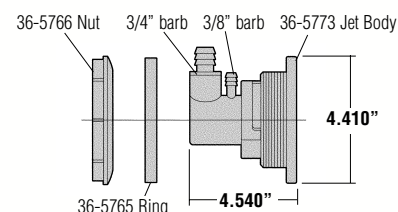
Features

- Rotates on Low or High speed
- Rotates with or without Air
- Through wall installation with "L" gasket eliminates the need for silicone
- Polished Finish (FP VSR Textured Finish)
- Rotates without use of Ball Bearings

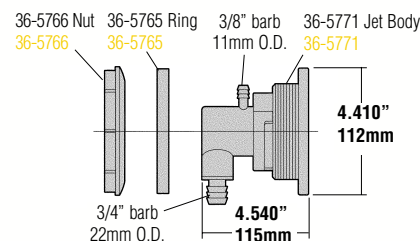
Jet Manifold Assemblies and replacement parts



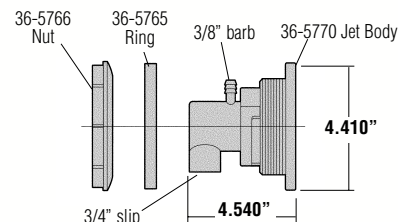
16-5779 - Jet Manifold Assy, -1 Side
(less Handle assembly) Includes:
Jet Manifold Body, Ring and Nut



16-5779B - Jet Manifold Assy, -1 Side
(less Handle assembly) Includes:
Jet Manifold Body, Ring and Nut



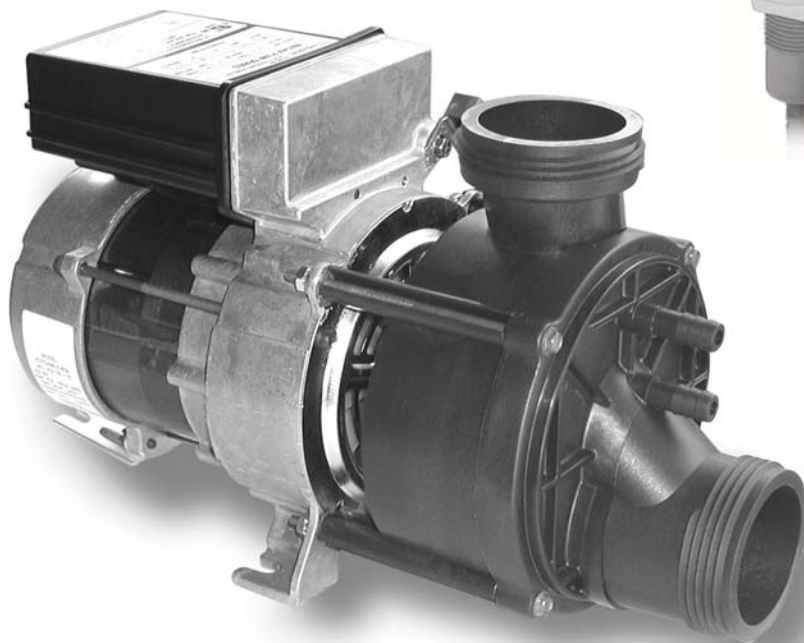
16-5778B - Jet Manifold Assy, - Barb
(less Handle assembly) Includes:
Jet Manifold Body, Ring and Nut



16-5778 - Jet Manifold Assy
(less Handle assembly) Includes:
Jet Manifold Body, Ring and Nut

WHIRLPOOL BATH PUMPS**MAGNA Whirlpool Bath Pump**

NEW Electronic On/Off
 The air button alternative.
 See page 61

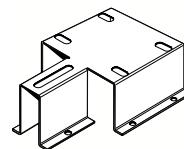
**Features**

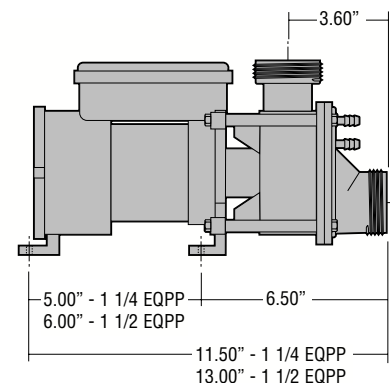
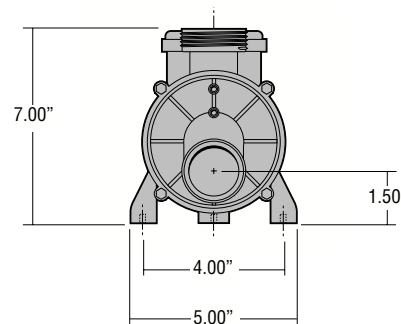
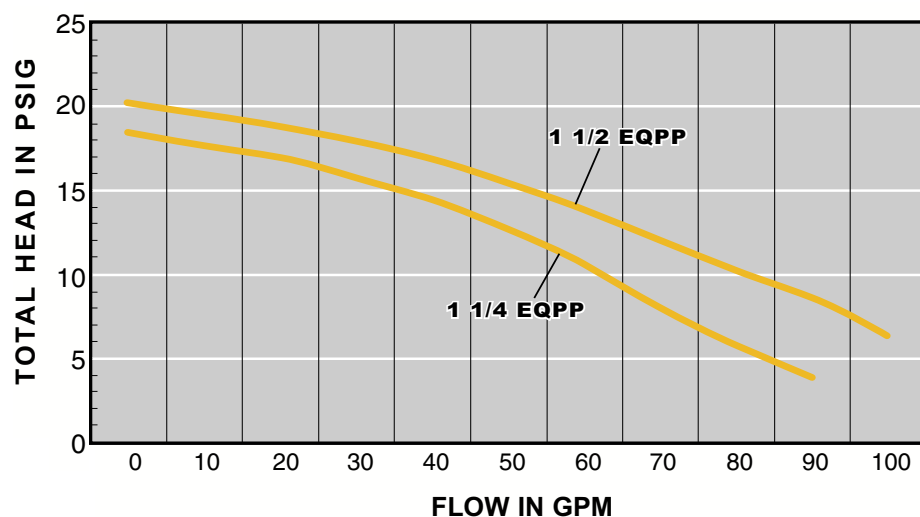
- Available in 1 1/2 EQPP and 1 1/4 EQPP
- 120 Volt, 60 Hz
- Dry run mechanical seal for reliability.
- Glass reinforced composite pump housing.
- UL Recognized and CSA certified.
- Self draining suction inlet.
- Center discharge.
- Factory installed cord/plug.
- Factory installed air switch.

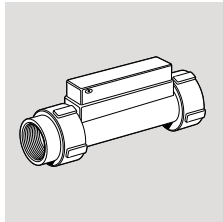
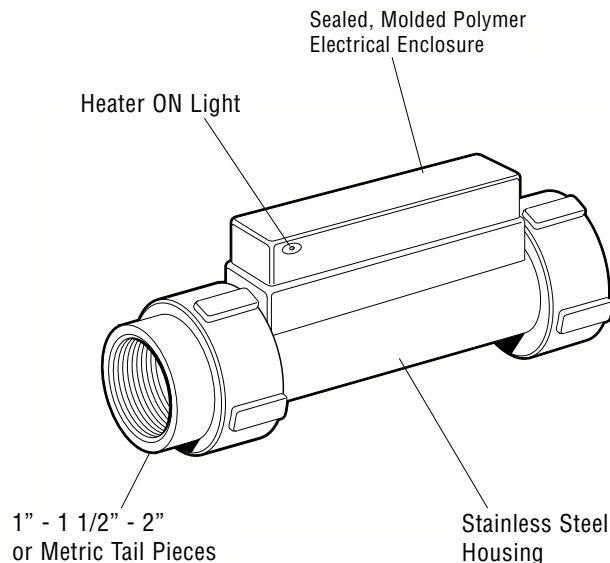
Ultra quiet operation**Options:** Unions 11-3480

90 Bulk pack - 11-348090

NEW Pump
 Stand (Option)
 15-2341

**Magna Pump Assemblies****LD5** 1 1/4 EQPP 120V/60Hz 8.5 lbs.**LD7** 1 1/2 EQPP 120V/60Hz 10.5 lbs
LD5 0003L00C (90 Pumps / No Unions)
 0003L88C (Single Pump / + 2 Unions)

LD7 0004L00C (90 Pumps / No Unions)
 0004L88C (Single Pump / + 2 Unions)
Compact, Light Weight and Superior Performance

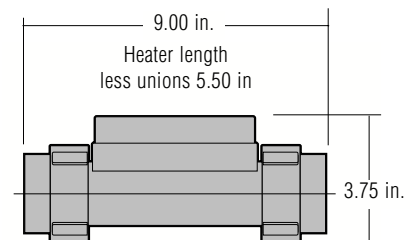
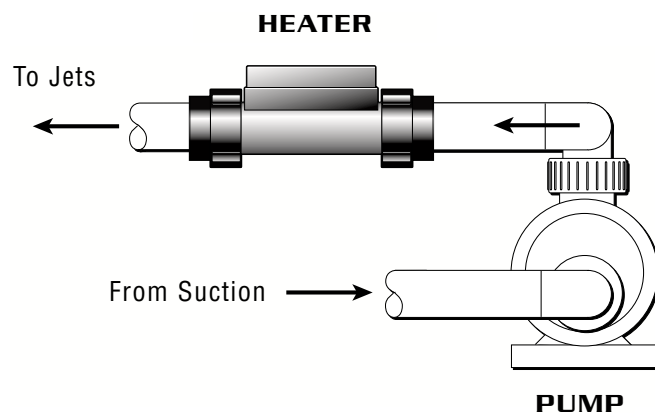
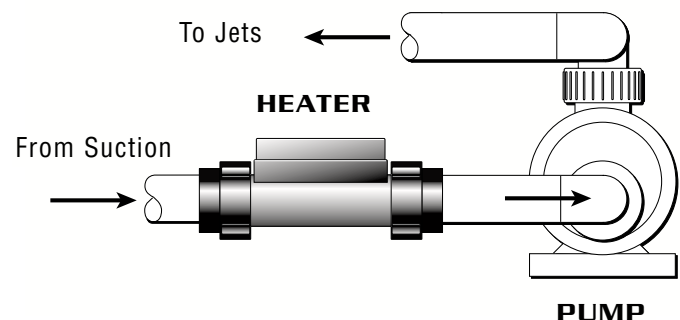
HydroAir**HEATERS****ITT Industries**
Engineered for life**AquaHeat II™ Series Whirlpool Bath Heater****AquaHeat II™ “In-Line” Bath Heater****07-0EKFT****Pressure** - Inline
Whirlpool Bath Heater**07-0EKFT15-V****Vacuum** - Inline
Whirlpool Bath Heater

The advanced AquaHeat II™ Inline Heater provides the ultimate in performance and reliability.

- Available in either pressure or vacuum models to fit virtually any installation.
- Ultra-compact design for the utmost in installation Flexibility.
- Easy installation with convenient union connections.

SPECIFICATIONS:**Input:** 120V**Output:** 1500W**Electrical Rating:** 12 Amps

- UL Listed for both Factory and Field Installation
- Time Delay High Limit to avoid nuisance tripping
- Stainless Steel Housing
- Heater ON Light
- 1" - 1 1/2" - 2" or Metric Tail Pieces
- Sealed, Molded Polymer Electrical Enclosure

Inline Heater Dimensions**Typical “Inline” Installation Diagrams****Typical INLINE installation (pressure)****Typical INLINE installation (vacuum)**



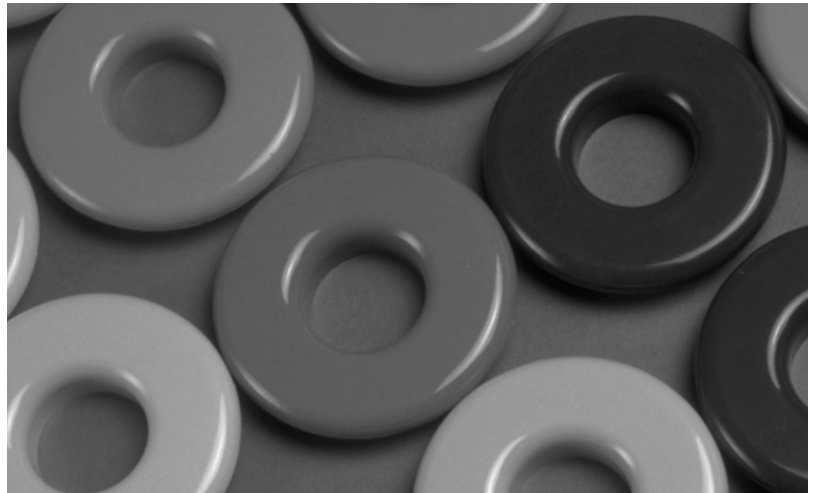
ITT Industries
Engineered for life

FINISHES **HydroAir**

Color Selection / Metal finishes

Color selection - Plastic Escutcheon, Suctions and Air Controls

Code	Color	Code	Color
ALMD	Almond	HRNBL	Heron Blue
AQBL	Aquamarine	ICE	Ice Gray
BIS	Biscuit	INBLUSH	Innocent Blush
BLK	Black	SEAF	Seafoam
BLU	Blue	SHL	Shell
BON	Bone	STRSLV	Sterling Silver
BRN	Brown	TG	Tender Gray
GRY	Gray		

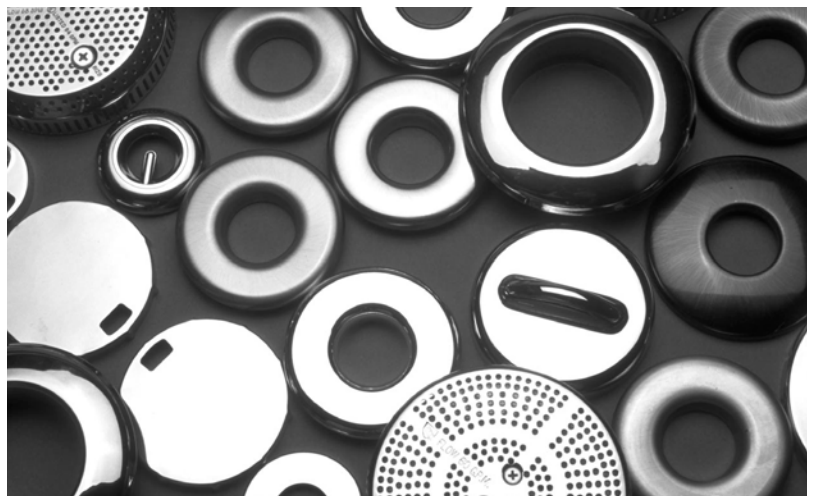


Note: Not all Fittings available in all colors

Plastic Escutcheon, Suction Covers and Air Control handles are available in variety of colors to match most bath colors.

Metal Finishes - Plastic Escutcheon, Suctions and Air Controls

Code	Color	Code	Color
DB	Dura Brass	RB	Raw Brass
PB	Polished Brass	SC	Satin Chrome
PC	Polished Chrome	SG	Satin Gold
PG	Polished Gold	SN	Satin Nickel
PN	Polished Nickel	SS	Stainless Steel



Note: Not available for all products

Plastic metal plated Escutcheon, Suction Covers and Air Control handles are available in variety of metal finishes.



AIR BLOWERS



ITT Industries
Engineered for life

Perseus Whirlpool Blowers

The Right Performance for small to medium size Whirlpool and Spa applications



Perseus blower

Perseus blowers are designed to fit compact whirlpool and spa systems where space is limited. Perseus blowers feature high performance, small building size and simple installation. Power options include, 360, 425, 560 and 760W - 230V, 50Hz, class II.

The 360 and 425W models are designed to fit compact whirlpool systems. The 560 and 760W models are ideal for small to medium size spa systems. Convenient mounting points and a versatile connection system ensure both quick and flexible installation.

Perseus series class II blowers are approved according to European norms.

FEATURES

- High performance
- Quiet operation
- Small building size
- Easy installation
- Variable speed control option
- Heater option
- Modern design
- Variable speed controlled by integrated electronics

16 MODELS TO SELECT FROM

Model	Motor W	Heater W	Total W	Model	Motor W	Heater W	Total W
360W Small to medium size on/off whirlpools				560W Small to medium size spas			
22-60409	360	-	360	22-6040	560	-	560
22-60419	360	-	360	22-6041	560	-	560
22-60429	360	180	540	22-6042	560	250	810
22-604219	360	180	540	22-60421	560	250	810
425W Small to medium size on/off whirlpools				760W Small to medium size spas			
22-60405	425	-	425	22-6060	760	-	760
22-60415	425	-	425	22-6061	760	-	760
22-60425	425	250	675	22-6062	760	250	1010
22-604215	425	250	675	22-60621	760	250	1010

All models with total effect of 560W or above (not air switch models) can run with variable speed. If used with our 500 digital and 1500 electronic systems, the 560W can run at variable speed with the same performance as the 360 and 425W blowers by use of special programming. Massage mode is also possible. (The 360 and 425W models cannot run at variable speed).



HydroAir

450 Delta Ave. Brea, CA

ITT HydroAir		QTY : 1
MODEL	R150VS-19-C	
SPEC	0045E88C	115 VOLTS
		
HP: 1 - 1/2	SERIAL NO / D.C.	V10DE
		<small>0045E88C HYDROAIR PASTER</small>



ITT Industries
Engineered for life

AQUATIC

Designed for luxury. Engineered for life.



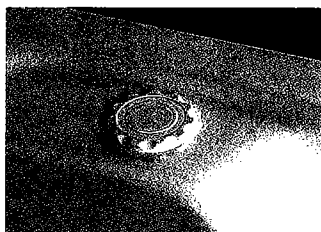
AQUATIC

Designed for luxury. Engineered for life. Whether it's a week spent a world away from home, or a simple afternoon at the spa, your escape is what you make it. For more than 20 years, Aquatic has been developing innovations in hydrotherapy to bring the spa experience into your home. A spectrum of colors to fit your décor. Luxurious features to fit your style. It's a philosophy that has made us the leading luxury whirlpool bath company in the industry. And we continue to be the best through innovative production technology, high-quality materials and the best warranty available.

Browse through our wide product offering. Select the features and designs that fit your preference. Then call your local Aquatic distributor (or our corporate headquarters toll free: 800-555.5324). Together, we can design the perfect spa experience for you, right in your own home.

GALLERY FEATURES

- 5-7 hydrotherapy jets including:
 - Rotary Massage Back Jets
 - Pressure-Flo Hydrotherapy Jets
- 1-HP run-dry safe pump
- Bath-side on/off air button
- Slip-resistant floor
- Sculptured arm rests (most models)
- Pre-leveled ABS support base
- Quiet pad anti-vibration pump mount
- Heat-bent rigid PVC piping
- Durable, easy-to-clean Lucite cast acrylic surface
- Factory run-tested
- Limited lifetime warranty
- UL and IAPMO listed



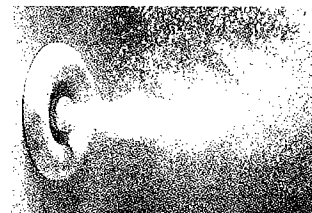
Bath-Side On/Off Air Button

A simple touch of a convenient On/Off Air Button operates the Gallery whirlpool.



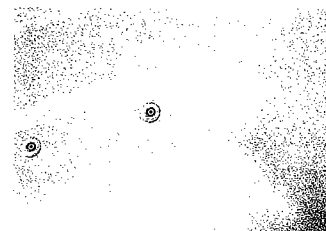
Rotary Massage Back Jet

Deeply recessed for greater bathing comfort, the Rotary Massage Jet generates a powerful rotating massage targeting the lower back area. The Rotary Massage Jet hydrotherapy is adjustable for customized comfort.



Pressure-Flo Hydrotherapy Jet

The Pressure-Flo Jet targets the hips, legs and feet with customized hydrotherapy. Simple adjustments control the direction and volume of jet pressure. Create a gentle flow of air and water or stronger massage action.



Sculptured Arm Rests

Designed to allow your body to rest in total comfort, our ergonomically designed arm rests are available on most Gallery models.

GALE
L
E
R
Y
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ROTARY MASSAGE JET
Recessed for maximum comfort, this hydrotherapy jet delivers rotating massage pattern for the lower back area. Volume and direction of this jet can be adjusted for personal comfort.

ARM RESTS
Ergonomically designed to provide maximum comfort during your hydrotherapy experience.

PRESSURE-FLO HYDROTHERAPY JET
Delivers deep and focused massage to hips, knees, calves and feet. Volume and direction of this jet can be adjusted for personal comfort.

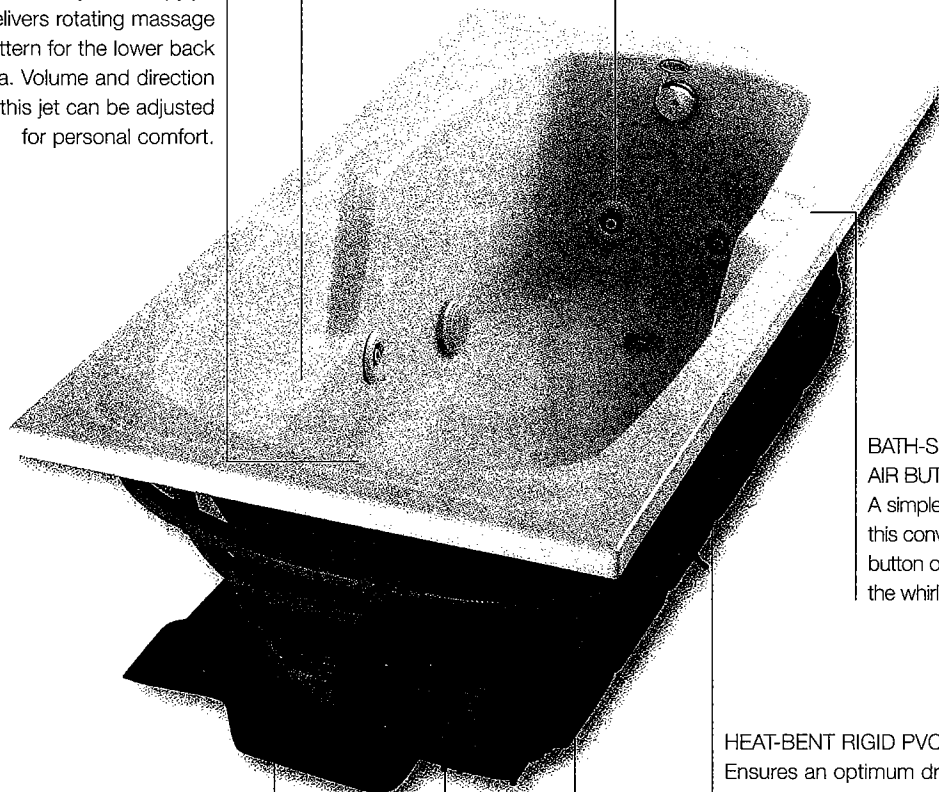
BATH-SIDE ON/OFF AIR BUTTON
A simple touch of this convenient button operates the whirlpool bath.

HEAT-BENT RIGID PVC PIPING
Ensures an optimum drain-down system each time you use your whirlpool bath.

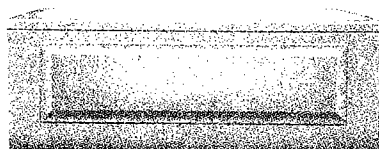
QUIET PAD ANTI-VIBRATION PUMP MOUNT
Absorbs sound and vibration for quiet operation.

PRE-LEVELLED ABS SUPPORT BASE
Provides support and simple installation while absorbing noise and vibration.

1-HP RUN-DRY SAFE PUMP
Protects against motor and seal damage in case of accidental turn-on of empty unit.

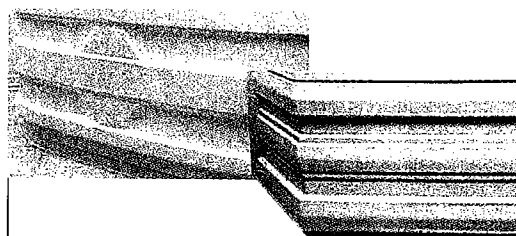


AQUATIC OPTIONAL ACCESSORIES



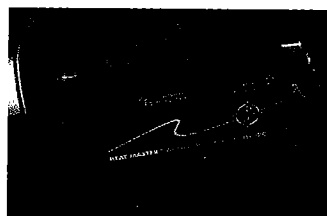
Flat Panel Skirt

A stylish flat panel color matched acrylic skirt is available for most rectangle whirlpool baths.



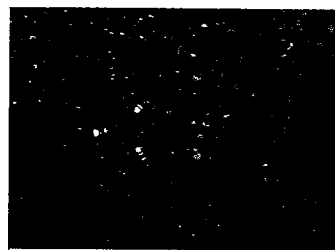
Curved and Neo-Angle Skirts

These beautifully designed color matched acrylic skirts are available for most corner models.



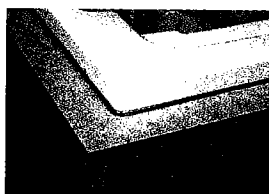
Inline Maintenance Heater

Enjoy longer baths with a consistent temperature powered by a 1.5-kW factory-installed maintenance heater – option available on Luxury and Gallery models.



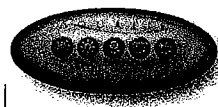
Chromatherapy

Select Aquatic baths provide the benefits of chromatherapy. Enjoy the soothing effects of a constant color wash or the soft rotation of the color spectrum. Option available on LuxeAir, Luxury and Gallery models.



Decorative Rim Kit

The decorative rim kit, available in chrome and polished brass, puts the finishing touch around your Aquatic bath.



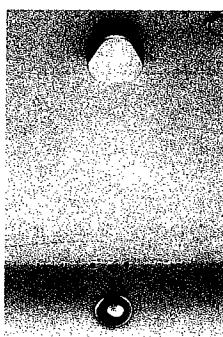
Control Panel Trims

Available in seven finishes to coordinate with bathroom fixtures. See page 92 for color selection.



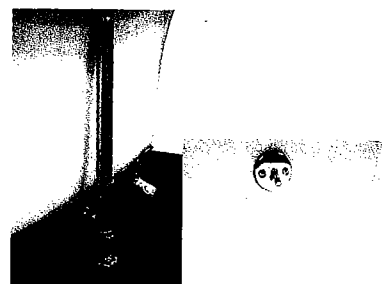
Bolt-On Grab Bars

Available on select models, this added safety feature is available in the following finishes: chrome, polished brass, satin nickel, polished nickel, oil rubbed bronze, gold tone, white and biscuit. Metal finishes are PVD coated to protect from scratches and tarnishing.



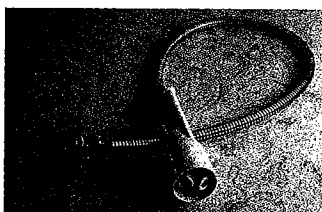
Designer Drain, Waste and Overflow

Select from two styles: cable drive or lift and turn, both available in chrome, polished brass, satin nickel, polished nickel, oil rubbed bronze and gold tone. The cable drive drain, waste and overflow are also available in bone, white and biscuit.



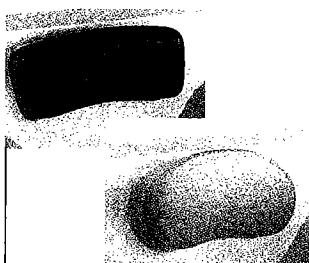
Drain, Waste and Overflow for Freestanding

Coordinates with the classic elegance of Aquatic's freestanding air baths. The drain, waste and overflow are available in chrome, polished brass, satin nickel, polished nickel, oil rubbed bronze and white.



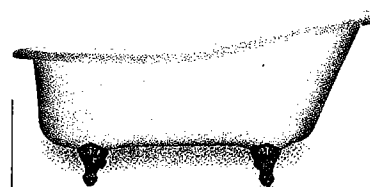
Hand Held Jet

An Aquatic exclusive, the Hand Held Jet provides massage action for places that are hard to reach. Available for the Millennium, Infinity, Century, LuxeAir, Luxury and Gallery models. Available in chrome or brass.



Comfort Bath Pillow

Our removable bath pillows add comfort to your bathing experience. Select from oval or rectangle, both available in white, biscuit and black.



Claw Foot Finishes

A selection of six finishes is available to coordinate with bathroom fixtures. See page 92 for finishes.

AQUATIC FINISHES

Color Matched Jets

Color matched jets are standard in the nine color finishes shown here.



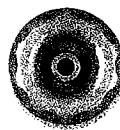
White



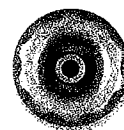
Biscuit



Bone



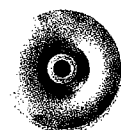
Almond



Linen



Innocent Blush



Sterling Silver



Ice Gray



Black

Jet Finishes

Each finish is PVD coated to protect from scratches and tarnishing. It's an elegant option that enhances the beauty of your Aquatic bath while coordinating with other bathroom fixtures.



Chrome



Polished Brass



Satin Nickel



Polished Nickel



Gold Tone

Claw Foot Finishes

Choose from a selection of six finishes on claw foot tubs.



Chrome



Polished Brass



Satin Nickel



Polished Nickel



Oil Rubbed Bronze



White

Control Panel Trims

Choose from a selection of seven finishes on control panels to coordinate with bathroom fixtures.



Chrome



Polished Brass



Satin Nickel



Oil Rubbed Bronze



White



Biscuit



Clear

As the printed medium cannot accurately reflect the true color and luster of our products, please contact your local Aquatic distributor to view actual samples.

SERIES FEATURES

MILLENNIUM SERIES

- 24 hydrotherapy jets including:
 - Shiatsu-Pro Neck and Back Jets
 - Pressure Plus Jets for elbow and wrist therapy
 - Rotary Massage Elite Jets for knee and foot therapy
 - Fan Jets for back therapy
- 2 pulsating neck jet pillows
- Independent 2-HP, 3-speed run-dry safe pumps for each reclining lounger
- Digital electronic control system
- Shiatsu electronic control panel with pre-programmed jet sequencer
- Inline maintenance heater
- Universal remote control
- Air bath system with 1-HP variable speed air blower and 600 watt air heating system
- Fast-fill waterfall spout (also available without spout)
- Footrest
- Chromatherapy
- 2 reclining lounge seats with arm rests
- Slip-resistant floor
- Adjusta-level base
- Quiet pad anti-vibration pump mount
- Heat-bent rigid PVC piping
- Durable, easy-to-clean Lucite cast acrylic surface
- Factory run-tested
- Limited lifetime warranty
- UL and IAPMO listed

INFINITY SERIES

- 16-17 hydrotherapy jets including:
 - Shiatsu Back Jets
 - Rotary Massage Back Jets
 - Pressure-Flo Hydrotherapy Jets
 - Rotary Massage Elite Jets
- Pulsating neck jet pillow
- 2-HP run-dry safe pump
- Digital electronic control system
- Shiatsu electronic control panel with pre-programmed jet sequencer
- Inline maintenance heater
- Air bath system with 1-HP variable speed air blower and 600 watt air heating system
- Fast-fill waterfall spout (some models available without spout)
- Continuous waterfall and integral tile flange (Infinity I only)
- Chromatherapy
- Deep bathing well with contoured seating (most models)
- Slip-resistant floor
- Sculptured arm rests
- Adjusta-level base
- Quiet pad anti-vibration pump mount
- Durable, easy-to-clean Lucite cast acrylic surface
- Heat-bent rigid PVC piping
- Factory run-tested
- Limited lifetime warranty
- UL and IAPMO listed

CENTURY SERIES

- 6-9 hydrotherapy jets including:
 - Fan Jet
 - Rotary Massage Back Jets
 - Pressure-Flo Hydrotherapy Jets
- 2-HP, 3-speed run-dry safe pump
- Bath-side electronic control panel
- Inline maintenance heater
- Fast-fill waterfall spout (some models available without spout)
- Chromatherapy
- Deep bathing well with contoured seating (most models)
- Slip-resistant floor
- Sculptured arm rests
- Grab bar(s) or molded safety grasps
- Pre-leveled ABS support base
- Quiet pad anti-vibration pump mount
- Heat-bent rigid PVC piping
- Durable, easy-to-clean Lucite cast acrylic surface
- Factory run-tested
- Limited lifetime warranty
- UL and IAPMO listed

LUXEAIR SERIES

- 6-9 hydrotherapy jets including:
 - Rotary Massage Back Jets
 - Pressure-Flo Hydrotherapy Jets
 - StressEaz Neck and Shoulder Therapy System II
- 1.75-HP run-dry safe pump with 20-minute timer
- Inline maintenance heater
- Air bath system
 - 1-HP variable speed air blower with 600 watt air heating system
 - 3 air massage settings: constant, wave and pulse
 - Automatic purge and dry cycle
- Electronic control panel
- Deep bathing well with sculptured arm rests
- Slip-resistant floor
- Adjusta-level support base
- Quiet pad anti-vibration pump mount
- Heat-bent rigid PVC piping
- Acrylic grab bar (most models)
- Durable, easy-to-clean Lucite cast acrylic surface
- Factory run-tested
- Limited lifetime warranty
- UL and IAPMO listed

LUXURY SERIES

- 6-9 hydrotherapy jets including:
 - Rotary Massage Back Jets
 - Pressure-Flo Hydrotherapy Jets
 - StressEaz Neck and Shoulder Therapy System II
- 1.75-HP run-dry safe pump
- Bath-side on/off electronic button with timer
- Deeply contoured bathing well
- Slip-resistant floor
- Sculptured arm rests
- Acrylic grab bars (most models)
- Pre-leveled ABS support base
- Quiet pad anti-vibration pump mount
- Heat-bent rigid PVC piping
- Durable, easy-to-clean Lucite cast acrylic surface
- Factory run-tested
- Limited lifetime warranty
- UL and IAPMO listed

SERENITY™ SERIES

- Air bath system
- 1-HP variable speed air blower with 20-minute timer
- Electronic control package with wave and pulse features
- 600-watt air heating system
- Automatic purge and dry cycle with water sensors
- Air channels lined with antimicrobial coating
- Chromatherapy (excluding freestanding models)
- Deep bathing well
- Raised seats for air jet action on thighs (most models)
- Slip-resistant floor
- Sculptured arm rests (most models)
- Grab bars (most models)
- Remote control (standard for freestanding models)
- Pre-leveled ABS support base (excluding freestanding models)
- Durable, easy-to-clean Lucite cast acrylic surface
- Factory run-tested
- Limited lifetime warranty
- UL and IAPMO listed

SERENITY™ STUDIO SERIES

- Air bath system
- 1-HP variable speed air blower with 20-minute timer
- Electronic control package with wave and pulse features
- 600-watt air heating system
- Remote control (standard for freestanding models)
- Automatic purge and dry cycle with water sensors
- Air channels lined with antimicrobial coating
- Chromatherapy (excluding freestanding models)
- Deep bathing well
- Ideal for undermount application (excluding Serenity Studio 12)
- Slip-resistant floor
- Pre-leveled ABS support base (excluding freestanding models)
- Durable, easy-to-clean Lucite cast acrylic surface
- Factory run-tested
- Limited lifetime warranty
- UL and IAPMO listed

GALLERY SERIES

- 5-7 hydrotherapy jets including:
 - Rotary Massage Back Jets
 - Pressure-Flo Hydrotherapy Jets
- 1-HP run-dry safe pump
- Bath-side on/off air button
- Slip-resistant floor
- Sculptured arm rests (most models)
- Pre-leveled ABS support base
- Quiet pad anti-vibration pump mount
- Heat-bent rigid PVC piping
- Durable, easy-to-clean Lucite cast acrylic surface
- Factory run-tested
- Limited lifetime warranty
- UL and IAPMO listed

HOTSOAK™ SERIES

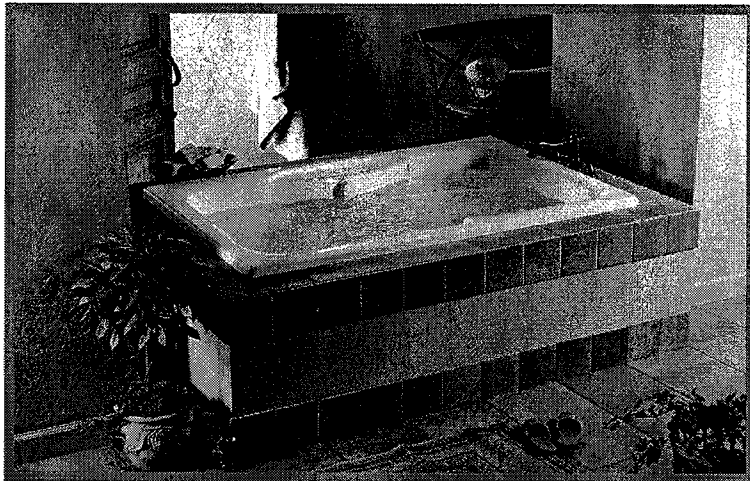
- Inline maintenance heater
- Run-dry safe pump
- Circulation portal covers
- Deep bathing well with contoured seating (some models)
- Acrylic grab bar (some models)
- Sculptured arm rests (some models)
- Pre-leveled ABS support base
- Quiet pad anti-vibration pump mount
- Heat-bent rigid PVC piping
- Slip-resistant floor
- Durable, easy-to-clean Lucite cast acrylic surface
- Factory run-tested
- Limited lifetime warranty
- UL and IAPMO listed

RESTORATION™ SERIES

- Deep bathing well
- Thick, durable acrylic surface
- Claw feet available in chrome, polished brass, satin nickel, polished nickel, oil rubbed bronze and white (excluding Restoration 5)
- Slip-resistant floor
- Limited lifetime warranty
- UL and IAPMO listed

AQUATIC

Designed for luxury. Engineered for life.



LUXURY AND GALLERY SERIES Owner's Manual & Installation Guide

Note: Read all instructions before proceeding with installation.
All specifications are $\pm 1/4"$ and are subject to change without notice.

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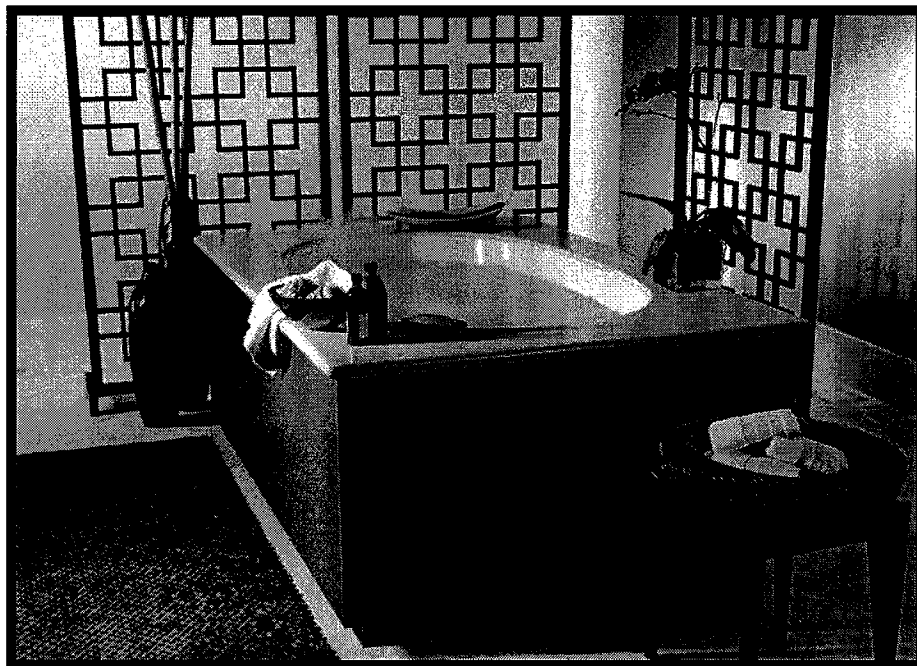


SERENITYTM *AIR BATHS* Owner's Manual & Installation Guide

Note: Read all instructions before proceeding with installation.
All specifications are $\pm 1/4"$ and are subject to change without notice.

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HotSoak™

Owner's Manual & Installation Guide

Note: Read all instructions before proceeding with installation.
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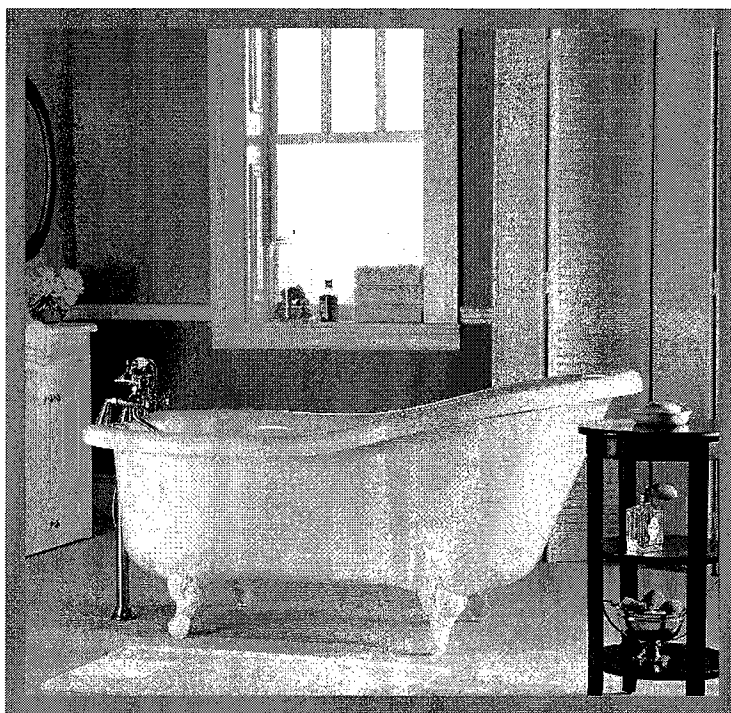
OWNER'S MANUAL & INSTALLATION GUIDE

Note: Read all instructions before proceeding with installation.
All specifications are $\pm 1/4"$ and are subject to change without notice.

SYMPHONY SERIES

AQUATIC

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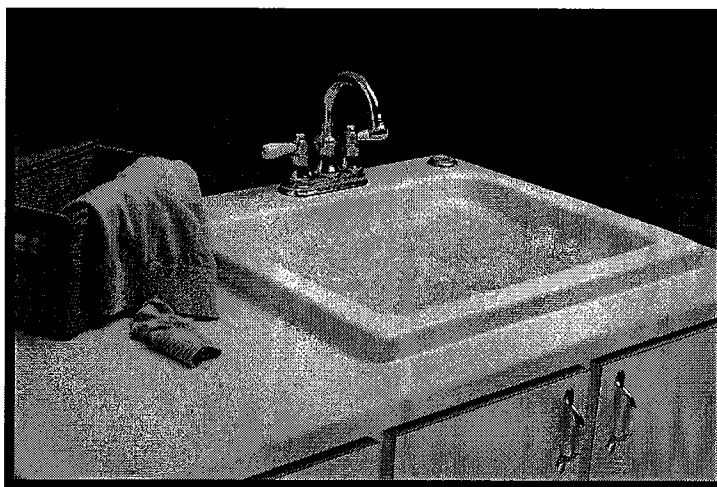
RESTORATION SERIES

Owner's Manual & Installation Guide

Note: Read all instructions before proceeding with installation.
All specifications are $\pm 1/4"$ and are subject to change without notice.

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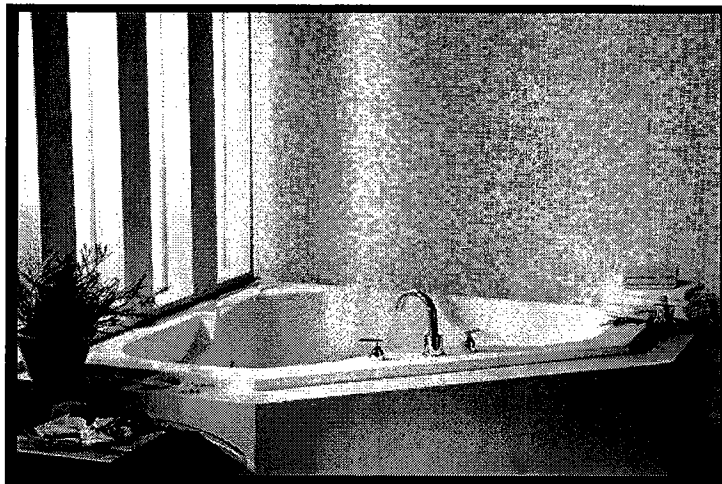


Delicair™ Laundry Basin Owner's Manual & Installation Guide

Note: Read all instructions before proceeding with installation.
All specifications are $\pm 1/4"$ and are subject to change without notice.

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Builder Select Collection Owner's Manual & Installation Guide

Note: Read all instructions before proceeding with installation.
All specifications are $\pm 1/4"$ and are subject to change without notice.



REX A. DONNELLY
DIRECT DIAL: 302-778-3460
EMAIL: radonnelly@ratnerprestia.com

JOHN W. MCGLYNN*
DIRECT DIAL: 302-778-3467
EMAIL: jwmcglynn@ratnerprestia.com

* Member of the Maryland and District of Columbia bars only. Not admitted in Delaware.

January 8, 2007

Via Certified Mail

Aquatic Industries, Inc.
11880 Ranch Road 2243
Leander, TX 78641
P.O. Box 889
Leander, TX 78646-0889

Re: ENGINEERED FOR LIFE; Our Ref.: ITME-964

To whom it may concern:

We are intellectual property counsel to ITT Manufacturing Enterprises, Inc. and ITT Corporation (collectively "ITT"), the owner of the well-known trademark **ENGINEERED FOR LIFE**. It has come to our client's attention that your company is using ENGINEERED FOR LIFE in connection with bathtubs, whirlpools and related goods, including jets and heaters. For your convenience, we enclose a copy of the cover of your current catalog and a printout of a page from the www.aquaticwhirlpools.com website, both bearing ENGINEERED FOR LIFE.

ITT is the owner of over 200 registrations for its **ENGINEERED FOR LIFE** mark and **ITT ENGINEERED FOR LIFE** marks worldwide, including US Reg. No. 2,606,789 for, *inter alia*, spa, pool bath and aquatic products including pumps, blowers, jets and heaters. A copy of the Certificate of Registration for US Reg. No. 2,606,789 is enclosed. Over the past eight years, our client has extensively used and otherwise invested considerable time and money establishing exclusive proprietary rights in the mark **ENGINEERED FOR LIFE** throughout the world in connection with a wide variety of goods and services. As a result of our client's efforts, the **ENGINEERED FOR LIFE** marks have become famous and valuable intellectual property rights, which our client will take all reasonable steps to protect.

Be advised that your company's unauthorized use of ENGINEERED FOR LIFE may constitute trademark infringement, trademark dilution and/or unfair competition and may cause confusion in the marketplace, in violation of the United States Lanham Act. Our client is concerned that your use of ENGINEERED FOR LIFE will create consumer confusion resulting in the mistaken belief that your products emanate from or are otherwise associated with ITT.



Aquatic Industries, Inc.
Page 2

In light of the foregoing, our client demands that your company 1) immediately discontinue any use of ENGINEERED FOR LIFE and/or any combination and/or misspelling thereof and 2) provide us with your company's written assurances of compliance with the foregoing demand.

This letter is not intended to be a full statement of the facts in this matter, and is without prejudice to our client's right to seek full redress for the infringing use and/or dilution of our client's trademark rights and/or unfair competition, including damages, injunctive relief, and expenses in pursuing litigation, if necessary.

Our client demands a written response within ten (10) days of this letter. Failure to respond will result in consideration of other options to resolve this issue, including legal action. We look forward to your immediate response.

Sincerely,

RatnerPrestia

Rex A. Donnelly
John W. McGlynn

RAD/JWM/bz

cc: Tom Blasey

113 9532 04.640 JAN 09 07 19810
1525 WILMINGTON DE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Aquatic Industries, Inc.
11880 Ranch Road 2243
Lender TX 78641

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Tracy Esquivel

☐ Agent

☐ Addressee

B. Received by (Printed Name)

TRACY ESQUIVEL

C. Date of Delivery

1-19-07

- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

U.S. Postal
CERTIFIED
(Domestic Mail Only)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M

Certified Fee

2.40

Postmark
Here

Return Receipt Fee
(Endorsement Required)

1.85

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$ 4.64

Sent To

Aquatic Industries Inc
Street, Apt. No.,
or PO Box No. 11880 Ranch Rd
City, State, ZIP+4 Lender TX 78641

PS Form 3800, June 2002

See Reverse for Instructions

U.S. Postal Service™

CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage

\$.39

Certified Fee

2.40

Return Receipt Fee
(Endorsement Required)

1.85

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$ 4.64

Sent To

Aquatic Industries Inc
Street, Apt. No.,
or PO Box No. 11880 Ranch Rd 2243
City, State, ZIP+4 Lender TX 78641 (IME-963)

PS Form 3800, June 2002

See Reverse for Instructions

RatnerPrestia

WE SPECIALIZE IN THE LAW OF CREATIVITY

NEMOURS BUILDING
1007 ORANGE STREET, SUITE 111C

P.O. BOX 1596
WILMINGTON, DE 19899

CERTIFIED MAIL™

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AQUATIC

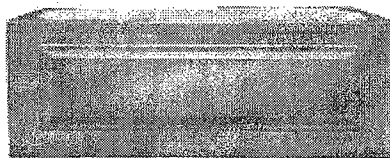
Designed for luxury. Engineered for life.

Contact
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Product Size
And/Or Shape
And/Or Model

Products
Customized Hydrotherapy
Customer Service
Press Room
Design Portfolio
About Us

AQUATIC OPTIONAL ACCESSORIES



Flat Panel Skirt

A stylish flat panel color matched acrylic skirt is available for most rectangle whirlpool baths.



Hand Held Jet

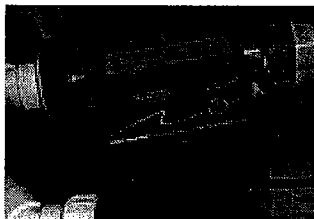
An Aquatic exclusive, the provides massage action to reach. Available for the **Century**, **LuxeAir**, **Luxe**. Available in chrome or brushed nickel.

The Depth of Aquatic's Excellence

Discover endless possibilities for a relaxing bathing experience

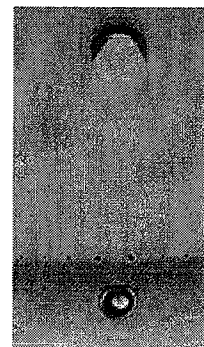
Get a Catalog

Download our new catalog in PDF format



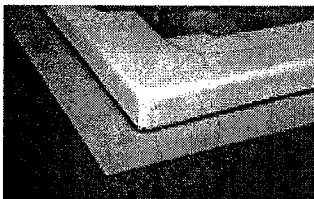
Inline Maintenance Heater

Enjoy longer baths with a consistent temperature powered by a 1.5-kW factory-installed maintenance heater – option available on **Luxury** and **Gallery** models.



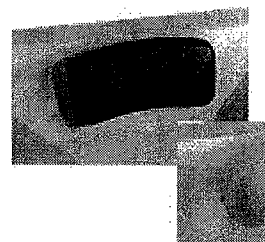
Designer Drain, Waste

Select from two styles: curved or straight, both available in chrome, satin nickel, polished nickel and gold tone. The cable overflow are also available in biscuit.



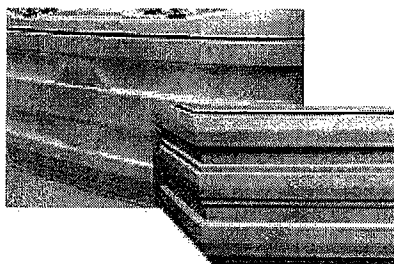
Decorative Rim Kit

The decorative rim kit, available in chrome and polished brass, puts the finishing touch around your Aquatic bath.



Comfort Bath Pillow

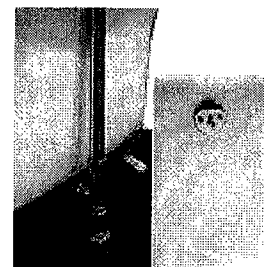
Our removable bath pillow



Curved and Neo-Angle Skirts

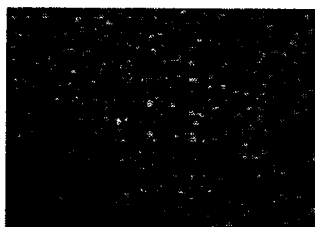
These beautifully designed color matched acrylic skirts are available for most corner models.

bathing experience. Select rectangle, both available black.



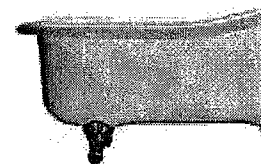
Drain, Waste and Overflow

Coordinates with the classic Aquatic's freestanding air waste and overflow are a polished brass, satin nickel, rubbed bronze and white.



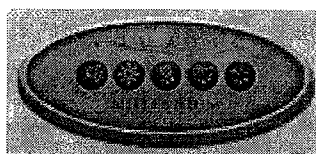
Chromatherapy

Select Aquatic baths provide the benefits of chromatherapy. Enjoy the soothing effects of a constant color wash or the soft rotation of the **color spectrum**. Option available on **LuxeAir**, **Luxury** and **Gallery** models.



Claw Foot Finishes

A selection of six finishes coordinate with bathroom **& Colors** for finishes.



Control Panel Trims

Available in seven finishes to coordinate with bathroom fixtures. See **Finishes & Colors** for color selection.



Bolt-On Grab Bars

Available on select models, this added safety feature is available in the following finishes: chrome, polished brass, satin nickel, polished nickel, oil rubbed bronze, gold tone, white and biscuit. Metal finishes are PVD coated to protect from scratches and tarnishing.

[sitemap](#) / [reps login](#)

JS 44 (Rev. 11/04)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

ITT MANUFACTURING ENTERPRISES, INC.
AND ITT CORPORATION

(b) County of Residence of First Listed Plaintiff NEW CASTLE, DE
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Rex A. Donnelley, Esquire, RatnerPrestia, Suite 1100, Nemours Bldg.,
1007 Orange St., Wilmington, DE 19801, (302) 778-2500

DEFENDANTS

AQUATIC INDUSTRIES, INC.

County of Residence of First Listed Defendant WILLIAMSON, TX
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERLY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input checked="" type="checkbox"/> 840 Trademark
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395f) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609
				<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
15 U.S.C. Section 1051 et seq.

Brief description of cause:

Action in violation of Lanham Act and for violations of Delaware State statutory and common law.

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

11/20/2007

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

AO FORM 85 RECEIPT (REV. 9/04)

United States District Court for the District of Delaware

Civil Action No. 07-746

FILED
CLERK, U.S. DISTRICT COURT
DISTRICT OF DELAWARE
2007 NOV 20 PM 4:01

ACKNOWLEDGMENT
OF RECEIPT FOR AO FORM 85

NOTICE OF AVAILABILITY OF A
UNITED STATES MAGISTRATE JUDGE
TO EXERCISE JURISDICTION

I HEREBY ACKNOWLEDGE RECEIPT OF 3 COPIES OF AO FORM 85.

11-20-07
(Date forms issued)

Jeffrey E. Mitchell
(Signature of Party or their Representative)

Jeffrey E. MITCHELL
(Printed name of Party or their Representative)

Note: Completed receipt will be filed in the Civil Action